

Moving the Indiana Justice System into the 21st Century

In order to develop a uniform policy on implementation of information technology by the Indiana judicial system, the Supreme Court of Indiana at the 1999 Indiana Judicial Conference formed a Judicial Technology and Automation Committee (J-TAC) chaired by Justice Frank Sullivan, Jr. Other members of the committee include Judges Cynthia Ayers, Sherry L. Biddinger-Gregg, Christopher L. Burnham, Dean A. Colvin, Jeffery J. Dywan, Paul Mathias, Ted Najam, and Loretta H. Rush. The Committee's charge includes but is not limited to the development of a long-range strategy for technology and automation in Indiana's judicial system, including possible approaches for funding and implementation as well as the development of standards for judicial information case management systems, judicial data processing, electronic filing, deployment and use of judicial information on the Internet, and for all related technologies used in the courts. In short, the primary role of J-TAC is to provide leadership and governance regarding the use of technology in the courts in an effort to better serve the people of Indiana.

As discussed in the xxxx issue of *The Lawyer*, the Indiana Supreme Court recently requested that the General Assembly appropriate \$11.82 million for the FY 2001-2003 biennium to implement the "Judicial Technology and Automation Project." This request, if funded, will:

- Allow Indiana trial courts and court clerks to manage their caseloads faster and more cost-effectively.
- Provide users of Indiana trial court information, notably law enforcement agencies, state policy makers and the public with more timely, accurate, and comprehensive information.
- Reduce the cost of trial court operations borne by Indiana counties.
- Examine the feasibility of implementing important technological innovations in Indiana trial courts.

J-TAC is convinced that the Indiana judicial system must approach the future with a spirit of cooperation, vision, and enthusiasm. These three currents dictate that technology will make our judicial system better only if its development and applications are actively managed and that we receive the input and support from those who interact regularly with the judicial system. J-TAC will provide the courts with a permanent forum in which to address the promise and the problems posed by modern communication and information technologies. It will also provide the important bridge between the judicial branch and the others involved in the “justice system.”

Although there are over 100 separate courts in Indiana and 92 clerks, from the public’s perspective there is but one Judicial Branch which encompasses trial and appellate judges, their immediate staffs, clerks’ offices, executive and administrative operations, and other court personnel, such as court commissioners, interpreters, and reporters. And just beyond the boundaries of the judicial branch there are a large number of public agencies and private institutions that have regular, functional interactions with the judicial system, such as the police, the Bureau of Motor Vehicles (BMV), departments of probation and correction, family and social service agencies, prosecutors and public defenders, and the private bar. Together, these other groups and the Judicial Branch are part of an overall “justice system.”

Due to the autonomous nature of the various groups involved in this “justice system,” historically there has been little uniformity or coordination on the use of technology among the groups. Moreover, due to the autonomous nature of the trial courts, there has not been much coordination within the Judicial Branch. Employment of court personnel, funding, use of technology and many aspects of court operations are handled and funded at the local level. As a result, court structures and court related services have varied widely from county to county. Not surprisingly, the technology infrastructure and e-services available to the Indiana judicial system lag far behind that of the private sector, other agencies in the state, and other courts across the nation.

In direct response to the fact of a lag, the growing public demand for access to judicial information, and the strong desire to improve, the Supreme Court of Indiana formed J-TAC to

help advance the appropriate use of technology by the Indiana judicial system. The purpose of J-TAC is to provide leadership in an area that has traditionally been without leadership. A long-term forecast of what is in store for the courts is nearly impossible. Information and communication technologies are changing too rapidly to make confident predictions more than a few years ahead. However, simply taking existing technologies and fully applying them to the practice of law and to the courts will give some indication of what we may realistically expect. Many of the current users of the judicial system will benefit. Most importantly, the people of Indiana will benefit. Their judicial system will use modern technology to improve efficiency, responsiveness and productivity. Areas of impact could include courtroom, case, juror, witness, attorney, and court scheduling; electronic filing, transfer, and real time multiple point access to pleadings and the case file; electronic recording of court proceedings; electronic maintenance and long term storage of court records; and development of management reports helpful to efficient allocation of resources and personnel.

J-TAC is prepared to do what it takes to bring the Indiana Judicial system into the 21st Century. We want to create a technology infrastructure that will enable the judicial system to be more efficient, responsive, and productive. The overall task of J-TAC will be to create within the next 5 years a statewide court communications and information processing network to serve the “justice system” -- courts, other state and local agencies, the general assembly, the bar, and the public. To the extent technically and economically feasible, creation of this statewide network will be accomplished by building upon information technology that is already in place and gradually migrating from existing systems. J-TAC will encourage local initiatives within the context of statewide interconnectivity.

Since all the courts in the state will conform to a common set of standards, it will be possible to create a data warehouse of judicial information. The judicial information created by the court will be readily available to other state agencies such as the state police and the Bureau of Motor Vehicles. All dispositions will be reported and all license suspensions will be uploaded in a timely fashion. Moreover, the central repository of information will allow querying and reporting on a level that is simply not possible today. This will allow the judiciary and the legislature to make informed policy decisions by having reliable and up-to-date information.

Of course, technology should not be viewed as a panacea for all of the woes of the judicial system. The temptation to automate simply for the sake of automation must be resisted. Instead, applications of technology in court management should be assessed by determining whether they decrease time and labor associated with existing tasks, permit the cost-effective accomplishment of useful tasks not previously feasible, or permit elimination of unnecessary tasks. Technology should enhance productivity, reduce delay, or otherwise be more cost-effective than non-technical alternatives.

Technology must be perceived as useful and usable by its users, including many persons outside of the judicial branch, most significantly the bar and the general public. The extent to which a system is used will determine whether it is ultimately worthwhile. In order to properly evaluate progress, the committee must set objective, measurable goals to be reached within a reasonable period of time. Only by setting and measuring objective goals can the J-TAC determine which technological projects should be promoted and which should be discarded. Without concrete goals, there could be a temptation to declare every technology project a success.

Only by engaging in a continuing process of reassessment and re-evaluation can the courts determine when technology has succeeded, failed to meet expectations, or been superseded by new developments. That reassessment and re-evaluation must be directed not only at the specific application of technology but also at the judicial system itself, since technological developments may create opportunities for re-engineering court operations, thereby improving the judicial process. In sum, the judiciary must remain technologically and operationally vigilant.

As we head down this path of modernizing our judicial system, JTAC seeks your input on how we should proceed. If you have a suggestion on how our courts can utilize technology better, please contact us. We are looking forward to working with all the constituents of our justice system as we move into the 21st century.

Kurt Snyder recently joined the staff of the Indiana Supreme Court Division of State Court Administration as the Director and Counsel of Trial Court Technology. In this capacity, he is the principal staff person for the Judicial Technology Automation Committee and the state's presence on the Internet. He also serves as an adjunct professor for the Kelley School of Business at Indiana University teaching business law and a course on business computer applications. ksnyder@courts.state.in.us

Possible Pull Quotes

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